

## **Ordinance 2005-03**

### **AN ORDINANCE AMENDING ORDINANCE 2004-09, PRESCRIBING THE POWERS AND DUTIES OF THE MAYOR OF THE CITY OF SOMERSET AS AUTHORIZED BY § 22.042 OF THE TEXAS LOCAL GOVERNMENT CODE**

WHEREAS, the City Council of the City of Somerset finds a need to specifically set forth the powers and duties of the Mayor of the City of Somerset and has determined that it is necessary to adopt a Ordinance setting forth such powers and duties; and

WHEREAS, the City Council of the City of Somerset wishes to take all reasonable steps to ensure an effective and efficient local government operation; and

WHEREAS, General Law cities, such as the City of Somerset, possess the authority to set City policy under its general police powers and to prescribe the powers and duties of the Mayor of the City of Somerset in accordance with Texas Local Government Code § 22.042(a); and

WHEREAS, the City of Somerset finds prescribing the powers and duties of the Mayor of the City of Somerset are necessary for the protection of the health, safety and general welfare of the citizens and public at large; the City possesses the authority to prescribe such powers and duties; and, an ordinance regulating such activity serves a legitimate government interest and protects the general welfare and good order of the City of Somerset; and

WHEREAS, the City of Somerset finds it is in the best interests of the City of Somerset to prescribe the powers and duties of the Mayor; and

WHEREAS, the City of Somerset finds it is in the best interest of the City of Somerset to place the lead responsibility for administration in the hands of the Mayor; and

WHEREAS, the placing of responsibility for administration in the hands of the Mayor enables citizens and the City Council to go to one central point for solutions to particular problems and this arrangement can help focus accountability and keep the City's business moving ahead promptly;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSET:**

The City Council for the City of Somerset hereby prescribes the powers and duties of the Office of Mayor, as follows:

**Power, Duties and Process:**

The Mayor of the City of Somerset shall ensure that the laws and ordinances of the municipality are properly carried out. The Mayor shall perform the duties and exercise the powers prescribed by the governing body of the municipality. The Mayor shall present any information regarding alleged improper conduct to the City Council for the City Council's review to determine what method such allegations should be prosecuted and if cause exists punished.

The Mayor shall inspect the conduct of each subordinate municipal officer (Specifically, the City Administrator, City Treasurer, Police Chief, City Attorney, City Secretary) and shall cause any negligence, carelessness, or other violation of duty to be prosecuted and punished. The Mayor shall present any information regarding alleged improper conduct to the City Council for the City Council's review to determine what method such allegations should be prosecuted and if cause exists punished.

The Mayor, holding the lead responsibility for administration, has the authority to control and administer all City activities, day-to-day operations and give instructions, lawful orders and directions to all City employees and City officials.

The Mayor shall give to the governing body any information, and shall recommend to the governing body any measure, that relates to improving the finances, police, health, security, cleanliness, comfort, ornament, or good government of the municipality. A majority vote of the City Council in favor of each and every measure recommended by the Mayor for final approval is required.

In addition to the above-prescribed powers and duties, the Mayor shall hold all the powers and duties additionally prescribed by Texas law, including, but not limited to those identified in Texas Local Government Code, Chapter 22 and 102.

**Severability**

Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

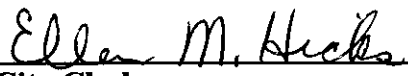
**Conflicts (Repeal of Ordinances)**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE IMMEDIATELY UPON CITY COUNCIL'S VOTE PASSING SAID ORDINANCE.

**PASSED AND APPROVED THIS THE 31<sup>ST</sup> DAY OF MAY 2005 BY SUFFICIENT VOTE OF THE CITY COUNCIL OF SOMERSET, TEXAS.**

  
FRED GONZALES, MAYOR

Attest:   
City Clerk